

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARVIN PEARLSTEIN, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

BLACKBERRY LIMITED (formerly known as
RESEARCH IN MOTION LIMITED),
THORSTEN HEINS, BRIAN BIDULKA,
and STEVE ZIPPERSTEIN,

Defendants.

Case No. 1:13-CV-7060-CM-KHP

PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION SETTLEMENT

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Lead Plaintiffs and Class Representatives Todd Cox and Mary Dinzik (“Plaintiffs”), respectfully move this Court for an Order to: (1) finally approve a \$165,000,000 settlement that will dispose of all claims in this Action; (2) find that the Notice plan it approved at preliminary approval met all applicable requirements; and (3) approve the Plan of Allocation for the disbursement of the proceeds among Class Members. In support thereof, Plaintiffs file the accompanying Memorandum of Law and Declaration of Kim E. Miller.

A [Proposed] Order with respect to both this Motion and the Motion for An Award of Attorneys’ Fees and Expenses and Compensatory Awards for Plaintiffs will be attached to reply papers, so that it can be adjusted after the exclusion deadline to reflect parties seeking exclusion.

DATED: August 29, 2022

Respectfully submitted,

KAHN SWICK & FOTI, LLC

/s/ Kim E. Miller

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CERTIFICATE OF SERVICE

On August 29, 2022 the foregoing document was filed through the Court's ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Kim E. Miller

Kim E. Miller